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April 26, 2017

Honorable Lucy H. Koh  
US District Court, US Northern District of California  
280 S. First Street, San Jose, CA 95113

**Facebook, Inc. v. Power Ventures Inc., Steven Vachani, Case No 08-cv5780 LHK**

**Re:** Supreme Court Petition Update – Facebook ordered to file a Brief in opposition (BIO) regarding Power Ventures/Vachani cert petition

Dear Hon. Judge Koh:

Facebook waived its right to file a brief in opposition (BIO) to our cert petition on April 10. However, the United States Supreme Court, on April 25, ordered Facebook to file a BIO.

It should also be noted that upon receiving this order, Facebook today requested an extension of time to file its BIO from May 25 to June 26. There is a flat inconsistency between Facebook's claim here that the cert petition is without merit and unlikely to be granted and its argument before the Supreme Court that it needs extra time to respond to this very same cert petition. At the very least, it indicates that the Court believes the issue of the CFAA's interpretation raised by our cert petition is certworthy. If cert is granted and the Supreme Court reverses, then these remand proceedings will be rendered moot.

On Monday, April 24<sup>th</sup>, Facebook filed an opposition to my motion to stay pending writ of certiorari. (Docket 429). I will be filing our reply to this motion on Monday, May 1<sup>st</sup>. We will then await this court's final decision on this motion.

Very Truly Yours,

/s/ Steven Vachani



Steven Vachani